

SLR:BGK:MDH
F. #2012V00377

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAY 12 2014 ★

X BROOKLYN OFFICE

UNITED STATES OF AMERICA,

Plaintiff,

- against -

TWO HUNDRED EIGHTY-NINE THOUSAND
EIGHT HUNDRED DOLLARS (\$289,800.00)
SEIZED FROM LUIS DAMIAN JACAS ON
NOVEMBER 17, 2011, et al.,

**DECREE OF FORFEITURE AND
ORDER FOR DELIVERY**

Civil Action No. 12-CV-2173 (SJ)

Defendants *in rem*.

X

WHEREAS, on or about May 2, 2012, a Verified Complaint *In Rem* (the "Complaint") was filed against, *inter alia*, (1) \$289,800.00, more or less, seized from Luis Damian Jacas ("Jacas") on November 17, 2011; (2) \$2,851.51, more or less, seized from Jacas on November 17, 2011; (3) 288 bottles of wine seized from Jacas on November 17, 2011 at Wine Care Storage LLC; (4) \$10,000.00, more or less, seized from Eric R. Brahms ("Brahms") on November 17, 2011; and (5) \$8,200.00, more or less, seized from Elle Chong Rozan ("Rozan") on November 17, 2011 (collectively, the "Defendant Assets");

WHEREAS, on or about June 12, 2012, this Court issued a Warrant for Arrest of Articles *In Rem* (the "Warrant"), pursuant to Rule G(3) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Actions;

WHEREAS, on or about May 11, 2012, notice was sent to Jacas, Brahms, and Rozan, and notice was published on an official internet government forfeiture website,

www.forfeiture.gov, for at least 30 consecutive days, beginning on or about May 11, 2012, and ending on or about June 9, 2012;

WHEREAS, Jacas, Brahms, Rozan, and Gael Gordon (“Gordon”) asserted claims to the Defendant Assets;

WHEREAS, Jacas, Brahms, Rozan, and Gordon withdrew their claims with prejudice;

UPON the Declaration of Melanie D. Hendry, Assistant United States Attorney, dated May 5, 2014, and upon all papers filed and proceedings had herein, and pursuant to 18 U.S.C. §981(a)(1)(A), 21 U.S.C. § 881(a)(6), and the application of the United States, it is hereby

ORDERED, ADJUDGED AND DECREED, that all of the persons or entities known or thought to have an interest in, or claim to, the Defendant Assets having been given due notice of these proceedings, and none of those persons or entities having interposed a statement of interest, an answer, or other response of any kind to the Verified Complaint *In Rem* and/or having withdrawn, with prejudice, his or her claim, the default of all persons having any interest in the Defendant Assets hereby is noted; and it is further

ORDERED, ADJUDGED AND DECREED that, pursuant to 18 U.S.C. §981(a)(1)(C), the Defendant Assets are hereby forfeited and condemned to the use and benefit of the United States; and it is further

ORDERED, ADJUDGED AND DECREED that the United States Secret Service and its agents be directed to pay their costs incurred incident to this proceeding and then dispose of the remainder of the Defendant Assets in accordance with law; and it is further

ORDERED, ADJUDGED AND DECREED that the Clerk of this Court shall forward three certified copies of this Decree to the United States Attorney for the Eastern District of New

York, Attention: Assistant United States Attorney Melanie D. Hendry, 271 Cadman Plaza East,
7th Floor, Brooklyn, New York 11201, and shall then mark this case closed.

Dated: Brooklyn, New York

May 8, 2014

/s/
s/Sterling Johnson, Jr.

HONORABLE ~~S~~TERLING JOHNSON, JR.
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK